

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR
DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI D.R. DESHMUKH, J.

Misc. Appeal NO. 1262 OF 2005

APPELLANT
CLAIMANT

Nawal kishor Pandey, S/o Pushpanad
 pandey, aged 37 yrs. Occupation-
 Sub-Engineer, R/o-54/1425, Tarun
 Nagar, Dangania, Raipur, Tah. & Distt.
 Raipur (C.G.)

VERSUS

RESPONDENTS

1. Ashok Kumar Bagh, S/o Padmalochar
 Bagh, Aged 23 yrs, R/o near Ramadh
 Mandir, Fafadih, Raipur, Tah. & Distt.
 Raipur (C.G.)
2. Masers Bulchand Indermal,
 Through – Managing Director-Masers
 Bulchand Indermal, R/o-Nemechand
 Street, Ganjpara, Raipur, Tah. & Distt.
 Raipur (C.G.)
3. The New India Insurance, Co. Ltd.
 Through – Div. Manager, Div. Office,
 Katchery Chowk, Jail Road, Raipur
 (C.G.)

 Present: Mr.A.S. Iqbal, learned counsel for the appellant.

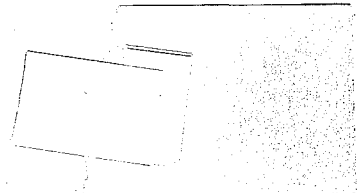
ORAL ORDER

(Passed on 31st January 2006)

The following oral order of the Court was passed by

D.R. DESHMUKH, J .

This is a personal injury case. The appellant is said to have
 suffered permanent disability of 60%. The MACT has awarded Rs.
 1,40,000/- as compensation, being Rs. 20,000/- towards loss of income,
 Rs. 5000/- towards pain and suffering, Rs. 50,000/- towards actual
 expenses incurred in treatment and Rs. 60,000/- for the disability



suffered by the appellant. The only point urged by learned counsel for the appellant is that the appellant had incurred expenses to the tune of Rs. 2,00,000/- and had also furnished the bills towards purchase of medicines, yet the same was not considered. However, upon perusal of the record of the MACT in claim case No. 53/2004, we find that neither the appellant filed prescriptions for those medicines nor examined the doctor concerned to prove the same. In the absence of such evidence, the compensation awarded by the MACT cannot be faulted with. No other point was urged before us. Consequently, the appeal is devoid of merit and it is accordingly dismissed. No costs.

**Sd/-
Chief Justice**

**Sd/-
Dilip Raosaheb Deshmukh
Judge**

Subby